



THE COMMONWEALTH OF MASSACHUSETTS  
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January 28, 2004

Ms. Mary L. Cottrell, Secretary  
Department of Telecommunications and Energy  
One South Station, 2<sup>nd</sup> Floor  
Boston, Massachusetts 02110

**RE: Boston Edison Company, D.T.E. 03-112**

Dear Secretary Cottrell:

For the reasons set forth below, the Attorney General provides notice of his intent not to file a brief in connection with the Department of Telecommunications and Energy's ("Department") consideration of the petition filed by the Boston Edison Company, d/b/a NSTAR Electric ("NSTAR" or "Company") seeking approval of the divestiture of the Company's property on LaGrange Street in Newton, Massachusetts ("LaGrange Street property").

On October 31, 2003, the Company filed its request to sell the LaGrange Street property to Cornerstone Corporation, LLC and the City of Newton pursuant to the Company's Restructuring Plan, as approved by the Department in D.P.U./D.T.E. 96-23, and the Electric Restructuring Act of 1997 (the "Act"). The LaGrange Street property consists of approximately 42 acres of residentially zoned undeveloped land. The Company held an auction which included a two rounds of bidding. The proposed sale price is \$15.1 million. The closing date is expected to be in March 2004.

Based upon a review of the record evidence relevant to the issues before the Department, the Attorney General has not identified any issues which require comment and so will not submit an initial brief. The Attorney General reserves the right to file a reply brief upon review of the initial briefs of the other parties.

Sincerely,

Colleen McConnell  
Assistant Attorney General

cc: Kevin F. Penders, Hearing Officer  
David S. Rosenzweig, Keegan, Werlin & Pabian, LLP  
John K. Habib, Keegan, Werlin & Pabian, LLP